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OFFICE OF PETITIONS

In re Application of	:	
Wolf et al.	:	
Application No. 10/823,941	:	ON PETITION
Filed: 04/14/2004	:	
Attorney Docket No. 70830.01	:	

This is a decision on the "PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNDER 37 CFR 1.137(b)," filed April 13, 2007.

The application became abandoned on September 24, 2006, for failure to timely submit the issue fee as required by the Notice of Allowance and Fee(s) mailed on June 23, 2006, which set a three (3) month statutory period for reply. On July 7, 2006, petitioners submitted a Fee(s) Transmittal form, authorizing the USPTO to charge the issue and publication fees to counsel's deposit account. The deposit account, however, did not contain a sufficient balance to charge the issue fee. On October 4, 2006, the Office mailed a Notice of Abandonment. On October 25, 2006, petitioners filed a petition to withdraw the holding of abandonment, which was dismissed by the decision of November 13, 2006. On December 3, 2006, petitioners filed a petition under 37 CFR 1.137(a), which was dismissed by the decision of April 9, 2007. On April 13, 2007, petitioners filed the present petition.

Petitioners have met the requirement under 37 CFR 1.137(b). The petition is **granted**.

This matter is being forwarded to the Office of Patent Publication for processing into a patent.

Telephone inquiries concerning the issuance of the application into a patent should be directed to the Office of Patent Publication, Customer Service at (571) 272-4200. Telephone inquiries specifically concerning this decision should be directed to the undersigned at (571) 272-3211.

C. T. Donnell

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